

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA** :  
:  
**Plaintiff** :  
:  
**v.** : **Case No. WMN-02-754**  
:  
**JOHN RACHEL, et al.** :  
:  
**Defendants.** :

**DEFENDANTS' MOTION TO CONTINUE TRIAL DATE**

Defendants respectfully ask this Court to continue the trial, now scheduled to commence on February 19, 2008. The grounds for this motion are as follows:

1. The primary defendant in this case, John Rachel, suffered a cerebral aneurysm in October. To date, he has been unable to participate in trial preparation.
2. The Court previously continued the trial in this matter because of Mr. Rachel's illness, and asked the undersigned counsel to update the Court concerning Mr. Rachel's physical condition so that the Court would be able to manage its calendar appropriately.
3. On December 18, 2007, Mr. Rachel's treating physician reported that Mr. Rachel will be unable to attend a trial in February. A copy of the physician's correspondence is attached as Exhibit 1.

WHEREFORE, for the foregoing reasons, defendants ask that the trial in this matter scheduled for February 19-25 be continued.

Respectfully submitted,

S/Edward J. Tolchin

Edward J. Tolchin  
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**Certificate of Service**

I hereby certify on this 27<sup>th</sup> day of December 2007, the foregoing Defendants' Motion to Continue Trial Date was served via electronic filing with the Court to those persons receiving ECF notice.

S/Edward J. Tolchin

Edward J. Tolchin

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# MEDICAL FACULTY ASSOCIATES

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18 December 2007

Edward J. Tolchin, Esq.  
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10509 Judicial Drive  
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**RE: JOHN RACHEL**  
**MEDICAL RECORD NUMBER 3565525**  
**DOB: 9/6/1936**

Dear Attorney Tolchin:

John Rachel has been under my care since 15 October 2007 for a Cerebral Aneurysm. He will be unable to attend court in February 2008, and will be reevaluated by me after his next angiogram in January 2008.

Please do not hesitate to contact me at 202/741-2739 if you have any questions and/or concerns regarding this matter.

*Best Regards,*

  
Vivek Deshmukh M.D., Assistant Professor/ach  
Director, Cerebrovascular Neurosurgery  
Director, Interventional Neuroradiology